# JUDICIAL APPOINTMENTS ADVISORY COMMITTEE

# ANNUAL REPORT

**for the Period from**

**1 January 2012 to 31 December 2012**

Toronto, Ontario
January, 2013

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## CONTACTING THE JUDICIAL APPOINTMENTS ADVISORY COMMITTEE

Persons wishing to comment on the procedures or selection criteria of the Judicial Appointments Advisory Committee are invited to visit the website at www.ontariocourts.ca/ocj/jaac/ or write to:

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## PREVIOUS PUBLICATIONS OF THE JUDICIAL APPOINTMENTS ADVISORY COMMITTEE:

- *Interim Report* (September, 1990);
- *Final Report and Recommendations* (June, 1992);
- *Annual Report* for the Period from 1 July 1992 to 31 December 1993 (January, 1994);
- *Annual Report* for the Period from 1 January 1994 to 28 February 1995 and for the Period from 1 March 1995 to 31 December 1995 (January, 1996);
- *Annual Report* for the Period from 1 January 1996 to 31 December 1996 (January, 1997);
- *Annual Report* for the Period from 1 January 1997 to 31 December 1997 (January, 1998);
- *Annual Report* for the Period from 1 January 1998 to 31 December 1998 (January, 1999);
- *Annual Report* for the Period from 1 January 1999 to 31 December 1999 (January, 2000);
- *Annual Report* for the Period from 1 January 2000 to 31 December 2000 (February, 2001);
- *Annual Report* for the Period from 1 January 2001 to 31 December 2001 (January, 2002);
- *Annual Report* for the Period from 1 January 2002 to 31 December 2002 (February 2003);
- *Annual Report* for the Period from 1 January 2003 to 31 December 2003 (February 2004);
- *Annual Report* for the Period from 1 January 2004 to 31 December 2004 (January 2005);
- *Annual Report* for the Period from 1 January 2005 to 31 December 2005 (January 2006);
- *Annual Report* for the Period from 1 January 2006 to 31 December 2006 (January 2007);
- *Annual Report* for the Period from 1 January 2007 to 31 December 2007 (January 2008);
- *Annual Report* for the Period from 1 January 2008 to 31 December 2008 (January 2009);
- *Annual Report* for the Period from 1 January 2009 to 31 December 2009 (January 2010);
- *Annual Report* for the Period from 1 January 2010 to 31 December 2010 (January 2011);
- *Annual Report* for the Period from 1 January 2011 to 31 December 2011 (January 2012).

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# LETTER OF TRANSMITTAL

January 31, 2013

The Honourable John Gerretsen
Attorney General for Ontario
720 Bay Street, 11th Floor
Toronto, Ontario
M7A 2S9

Dear Mr. Attorney:

The Judicial Appointments Advisory Committee has the honour of presenting to you this report on its activities for the period from 1 January 2012 to 31 December 2012, pursuant to section 43 of the *Courts of Justice Act*. It covers all significant matters related to the recommendation to the Attorney General of suitable candidates for judicial appointment to the Ontario Court of Justice.

Respectfully yours,

Original signed by Hanny A. Hassan

Hanny A. Hassan, C.M.
Chair

# EXECUTIVE SUMMARY

1 January 2012 to 31 December 2012

The Judicial Appointments Advisory Committee was set up as a pilot project by the then Attorney General, the late Honourable Ian Scott, in January 1989. Since then, 322 judges have been appointed based on Committee recommendations. Of these, 10 appointments were made between 1 January 2012 and 31 December 2012.

The highlights of Committee activities are as follows:

- Appointments: Each of the 10 appointments has been made from among candidates recommended by the Committee in accordance with the first criterion, being that of professional excellence, and then on the other criteria set out in this Report. In addition to the 10 appointments, the Committee has submitted its recommendation to the Attorney General on three vacancies and continues to work on another three vacancies before the end of 2012.

- Legislation: Amendments to the *Courts of Justice Act* that came into force on 28 February 1995 established the Judicial Appointments Advisory Committee and clothed it with legislative authority. These amendments set out in detail the composition, procedures, criteria for selection, and independent function of the Committee.

- Confidentiality: The Committee continues to request the Government to pass legislation exempting its confidential information so that it shall be protected by the exemption of the *Freedom of Information and Protection of Privacy Act*.

- Procedures and Policies: The Committee continually reviews its procedures and policies which are set forth in detail in this Report.

  Candidates will generally not be considered for an interview if they have any outstanding complaints registered with a Law Society. The candidate is responsible for ensuring the removal of such complaints; however, if the Committee receives sufficient information as to the complaint being frivolous or lacking in foundation, then such a complaint will not be a bar to the candidate being considered and interviewed, but the candidate would not be recommended until it has been removed.

  Candidates will generally not be considered for an interview if they have any outstanding Errors and Omissions claims registered with the Lawyers' Professional Indemnity Company. The candidate is responsible for ensuring the removal of such claims; however, if the Committee receives sufficient information that the claim is not

substantiated, then such a claim will not be a bar to the candidate being considered and interviewed, but the candidate would not be recommended until it has been removed.

The Committee would be prepared to consider the application of a candidate who is involved in any other civil claim or proceeding if, after receiving details of the proceeding, the members are of the opinion that the nature of the claim is such that it should not prevent the candidate from being considered for a judicial appointment.

The Committee must be informed of any outstanding civil judgments, arrears in family support payments, any past or present proposals to creditors or assignments in bankruptcy, and any sanctioning by The Law Society of Upper Canada or any other Law Society.

The Committee will not consider a candidate who has a criminal record.

# INTRODUCTION

On 15 December 1988, the then Attorney General, the late Honourable Ian Scott, announced in the Ontario Legislature the establishment of the Judicial Appointments Advisory Committee as a pilot project, and set out its mandate:

> First, to develop and recommend comprehensive, sound and useful criteria for selection of appointments to the judiciary, ensuring that the best candidates are considered; and second, to interview applicants selected by it or referred to it by the Attorney General and make recommendations.

On February 28, 1995, the *Courts of Justice Act* established the Committee by legislation. All appointments to the Ontario Court of Justice must be made by the Attorney General from amongst a list of applicants recommended to him by the Committee, and chosen in accordance with its own process of criteria, policies and procedures. The Committee's criteria, policies and procedures are described, in detail, on the following pages.

The total number of applicants from the inception of the Committee to December 31, 2012 is 3,216, of whom 1,077 (34%) are women.

In 2012, the Committee met 14 times to select candidates, conduct interviews and attend to Committee business. One hundred and sixteen (116) applicants were interviewed during the period and 35 have been recommended, from which the Attorney General has selected and appointed 10 judges.

# PART I

# ANALYSIS OF JUDICIAL APPOINTMENTS MADE

## 1.0 Judges Appointed: 1 January 2012 - 31 December 2012

During this period, there have been 10 judges appointed as a result of recommendations made by the Committee. Added to the 312 appointments previously made, this number makes a total of 322 judges appointed since the Committee began its work in 1989. However, with various transfers, etc., the current number of judges presiding in the Ontario Court of Justice as a result of the Committee's recommendations is 273. The complement of the Ontario Court of Justice is 284 judges. Over 96% of all the present judges have been selected through the Committee process.

Of the 10 new appointments this calendar year, two were francophone; four were female; one was from the native communities; nine came from private practice and one was formerly Crown counsel. A list of these judges will be found in Appendix II.

The ages of appointees range from 37 to 59 years, and the average age is 48 years.

## 2.0 Overview of Appointments: 1 January 1989 - 31 December 2012

The reader will find a list of all judges appointed under the Committee process in Appendix III; the Appendix lists the names in alphabetical order together with location and date of appointment.

The demographics of these appointments are set out in the following tables which show the timing of the various appointments, the legal background of the appointees, and the numbers selected for appointment from under-represented groups.

| TIMING OF THE APPOINTMENTS | | | | | | | |
|---|---|---|---|---|---|---|---|
| Reporting Period | 1 Jan 89 – 31 Oct 90 | 1 Nov 90 – 30 June 92 | 1 July 92 – 31 Dec 93 | 1 Jan 94 – 28 Feb 95 | 1 Mar 95 – 31 Dec 95 | 1 Jan 96 – 31 Dec 96 | 1 Jan 97 – 31 Dec 97 |
| Total Appointments | 28 | 39 | 23 | 15 | 5 | 7 | 16 |
| **LEGAL BACKGROUND** | | | | | | | |
| | 1 Jan 89 – 31 Oct 90 | 1 Nov 90 – 30 June 92 | 1 July 92 – 31 Dec 93 | 1 Jan 94 – 28 Feb 95 | 1 Mar 95 – 31 Dec 95 | 1 Jan 96 – 31 Dec 96 | 1 Jan 97 – 31 Dec 97 |
| Private Practice | 16 | 32 | 14 | 9 | 4 | 3 | 13 |
| Provincial Crown | 5 | 3 | 5 | 6 | 0 | 4 | 3 |
| Federal Prosecutor | 3 | 1 | 2 | 0 | 0 | 0 | 0 |
| Government | 4 | 3 | 2 | 0 | 1 | 0 | 0 |
| **APPOINTMENTS FROM REPRESENTATIVE GROUPS** | | | | | | | |
| | 1 Jan 89 – 31 Oct 90 | 1 Nov 90 – 30 June 92 | 1 July 92 – 31 Dec 93 | 1 Jan 94 – 28 Feb 95 | 1 Mar 95 – 31 Dec 95 | 1 Jan 96 – 31 Dec 96 | 1 Jan 97 – 31 Dec 97 |
| Women | 9 | 18 | 12 | 3 | 1 | 1 | 5 |
| Francophone | 2 | 2 | 1 | 2 | 1 | 0 | 0 |
| First Nations | 0 | 2 | 0 | 1 | 0 | 1 | 0 |
| Visible Minority | 2 | 4 | 4 | 0 | 0 | 0 | 0 |
| Persons with Disabilities | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

## TIMING OF THE APPOINTMENTS

| Reporting Period | 1 Jan 98 – 31 Dec 98 | 1 Jan 99 – 31 Dec 99 | 1 Jan 00 – 31 Dec 00 | 1 Jan 01 – 31 Dec 01 | 1 Jan 02 – 31 Dec 02 | 1 Jan 03 – 31 Dec 03 | 1 Jan 04 – 31 Dec 04 |
|---|---|---|---|---|---|---|---|
| Total Appointments | 14 | 18 | 13 | 4 | 13 | 14 | 15 |

## LEGAL BACKGROUND

| | 1 Jan 98 – 31 Dec 98 | 1 Jan 99 – 31 Dec 99 | 1 Jan 00 – 31 Dec 00 | 1 Jan 01 – 31 Dec 01 | 1 Jan 02 – 31 Dec 02 | 1 Jan 03 – 31 Dec 03 | 1 Jan 04 – 31 Dec 04 |
|---|---|---|---|---|---|---|---|
| Private Practice | 10 | 11 | 11 | 3 | 12 | 8 | 9 |
| Provincial Crown | 3 | 5 | 2 | 1 | 1 | 3 | 4 |
| Federal Prosecutor | 0 | 0 | 0 | 0 | 0 | 2 | 1 |
| Government | 1 | 2 | 0 | 0 | 0 | 1 | 1 |

## APPOINTMENTS FROM REPRESENTATIVE GROUPS

| | 1 Jan 98 – 31 Dec 98 | 1 Jan 99 – 31 Dec 99 | 1 Jan 00 – 31 Dec 00 | 1 Jan 01 – 31 Dec 01 | 1 Jan 02 – 31 Dec 02 | 1 Jan 03 – 31 Dec 03 | 1 Jan 04 – 31 Dec 04 |
|---|---|---|---|---|---|---|---|
| Women | 4 | 5 | 2 | 1 | 4 | 6 | 4 |
| Francophone | 0 | 3 | 2 | 0 | 0 | 2 | 0 |
| First Nations | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Visible Minority | 1 | 0 | 2 | 0 | 1 | 0 | 1 |
| Persons with Disabilities | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

## TIMING OF THE APPOINTMENTS

| Reporting Period | 1 Jan 05 – 31 Dec 05 | 1 Jan 06 – 31 Dec 06 | 1 Jan 07 – 31 Dec 07 | 1 Jan 08 – 31 Dec 08 | 1 Jan 09 – 31 Dec 09 | 1 Jan 10 – 31 Dec 10 | 1 Jan 11 – 31 Dec 11 |
|---|---|---|---|---|---|---|---|
| Total Appointments | 16 | 20 | 6 | 12 | 19 | 3 | 12 |

## LEGAL BACKGROUND

| | 1 Jan 05 – 31 Dec 05 | 1 Jan 06 – 31 Dec 06 | 1 Jan 07 – 31 Dec 07 | 1 Jan 08 – 31 Dec 08 | 1 Jan 09 – 31 Dec 09 | 1 Jan 10 – 31 Dec 10 | 1 Jan 11 – 31 Dec 11 |
|---|---|---|---|---|---|---|---|
| Private Practice | 10 | 14 | 3 | 10 | 11 | 2 | 6 |
| Provincial Crown | 4 | 2 | 3 | 1 | 6 | 0 | 5 |
| Federal Prosecutor | 0 | 0 | 0 | 1 | 1 | 0 | 0 |
| Government | 2 | 4 | 0 | 0 | 1 | 1 | 1 |

## APPOINTMENTS FROM REPRESENTATIVE GROUPS

| | 1 Jan 05 – 31 Dec 05 | 1 Jan 06 – 31 Dec 06 | 1 Jan 07 – 31 Dec 07 | 1 Jan 08 – 31 Dec 08 | 1 Jan 09 – 31 Dec 09 | 1 Jan 10 – 31 Dec 10 | 1 Jan 11 – 31 Dec 11 |
|---|---|---|---|---|---|---|---|
| Women | 6 | 7 | 5 | 6 | 7 | 2 | 5 |
| Francophone | 1 | 1 | 0 | 0 | 2 | 0 | 2 |
| First Nations | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Visible Minority | 1 | 2 | 0 | 1 | 2 | 0 | 2 |
| Persons with Disabilities | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

## TIMING OF THE APPOINTMENTS

| Reporting Period | 1 Jan 12 – 31 Dec 12 | Overall Total of Appointments |
|---|---|---|
| Total Appointments | 10 | 322 |

## LEGAL BACKGROUND

| | 1 Jan 12 – 31 Dec 12 | Total No. | Percent (N=322) |
|---|---|---|---|
| Private Practice | 9 | 220 | 68.3% |
| Provincial Crown | 1 | 67 | 20.8% |
| Federal Prosecutor | 0 | 11 | 3.4% |
| Government | 0 | 24 | 7.5% |

## APPOINTMENTS FROM REPRESENTATIVE GROUPS

| | 1 Jan 12 – 31 Dec 12 | Total No. | Percent (N=322) |
|---|---|---|---|
| Women | 4 | 117 | 36.3% |
| Francophone | 2 | 23 | 7.1% |
| First Nations | 1 | 6 | 1.9% |
| Visible Minority | 0 | 23 | 7.1% |
| Persons with Disabilities | 0 | 0 | 0% |

The Committee continues to encourage applications from members of equality-seeking groups. Each advertisement for a judicial vacancy states that:

> The Judiciary of the Ontario Court of Justice should reasonably reflect the diversity of the population it serves. Applications from members of equality-seeking groups are encouraged.

The advertisement appears in the *Ontario Report*s and *The Lawyers Weekly*, both publications have a wide circulation amongst lawyers in the Province. It is also posted on the Ontario Courts website at *www.ontariocourts.ca/ocj/jaac/*.

In addition, advance notice of a judicial vacancy is provided to approximately 218 legal and non-legal associations, such as: the Ontario Bar Association, the ARCH Disability Law Centre, the Aboriginal Legal Services of Toronto, the Canadian Association of Black Lawyers and the Metro Toronto Chinese & Southeast Asian Legal Clinic, with a request that the material be brought to the attention of their members. This notice of judicial vacancy is also emailed to The Advocates' Society, the National Association of Women and the Law, the Ontario Bar Association, the Ontario Crown Attorneys Association, the Ontario Trial Lawyers Association, the Women's Law Association of Ontario, the Canadian Muslim Lawyers Association, Indigenous Bar Association, L'Association des juristes d'expression française de l'Ontario, Criminal Lawyers' Association as well as the legal clinics and law associations throughout Ontario. Committee members are prepared to and do attend association meetings of groups, legal or non-legal, to discuss the appointment process and answer questions concerning Committee procedures and criteria. Our desire is to make sure that the profession and public are fully informed about the process of judicial appointment.

# PART II

# LEGISLATION

## 1.0 The Courts of Justice Statute Law Amendment Act

The amendments to the *Courts of Justice Act* were given Royal Assent in June 1994 and proclaimed on 28 February 1995. Section 43 deals with the Judicial Appointments Advisory Committee and it is included here in full, for ease of reference:

*"Judicial Appointments Advisory Committee*

43. (1) A committee known as the Judicial Appointments Advisory Committee in English and as Comité consultatif sur les nominations à la magistrature in French is established.

*Composition*

(2) The Committee is composed of,

(a) two provincial judges, appointed by the Chief Judge of the Ontario Court of Justice;

(b) three lawyers, one appointed by The Law Society of Upper Canada, one by the Canadian Bar Association-Ontario and one by the County and District Law Presidents' Association;

(c) seven persons who are neither judges nor lawyers, appointed by the Attorney General;

(d) a member of the Judicial Council, appointed by it.

*Criteria*

(3) In the appointment of members under clauses (2) (b) and (c), the importance of reflecting, in the composition of the Committee as a whole, Ontario's linguistic duality and the diversity of its population and ensuring overall gender balance shall be recognized.

*Terms of Office*

(4) The members hold office for three-year terms and may be reappointed.

*Staggered terms*

(5) Despite subsection (4), the following applies to the first appointments made under subsection (2):

1. One of the provincial judges holds office for a two-year term.

2. The lawyer appointed by the Canadian Bar Association-Ontario holds office for a two-year term and the lawyer appointed by the County and District Law Presidents' Association holds office for a one-year term.

3. Two of the persons who are neither judges nor lawyers hold office for two-year terms and two hold office for one-year terms.

*Chair*

(6) The Attorney General shall designate one of the members to chair the Committee for a three-year term.

*Term of Office*

(7) The same person may serve as chair for two or more terms.

*Function*

(8) The function of the Committee is to make recommendations to the Attorney General for the appointment of provincial judges.

*Manner of Operating*

(9) The Committee shall perform its function in the following manner:

1. When a judicial vacancy occurs and the Attorney General asks the Committee to make a recommendation, it shall advertise the vacancy and review all applications.

2. For every judicial vacancy with respect to which a recommendation is requested, the Committee shall give the Attorney General a ranked list of at least two candidates whom it recommends, with brief supporting reasons.

3. The Committee shall conduct the advertising and review process in accordance with criteria established by the Committee, including assessment of the professional excellence, community awareness and personal characteristics of candidates and recognition of the desirability of reflecting the diversity of Ontario society in judicial appointments.

4. The Committee may make recommendations from among candidates interviewed within the preceding year, if there is not enough time for a fresh advertising and review process.

*Qualification*

(10) A candidate shall not be considered by the Committee unless he or she has been a member of the bar of one of the provinces or territories of Canada for at least ten years or, for an aggregate of at least ten years, has been a member of such a bar or served as a judge anywhere in Canada after being a member of such a bar.

*Recommendation by Attorney General*

(11) The Attorney General shall recommend to the Lieutenant Governor in Council for appointment to fill a judicial vacancy only a candidate who has been recommended for that vacancy by the Committee under this section.

*Rejection of List*

(12) The Attorney General may reject the Committee's recommendations and require it to provide a fresh list.

*Annual Report*

(13) The Committee shall submit to the Attorney General an annual report of its activities.

*Tabling*

(14) The Attorney General shall submit the annual report to the Lieutenant Governor in Council and shall then table the report in the Assembly."

# PART III

# CONFIDENTIALITY

## 1.0 Introduction

The Judicial Appointments Advisory Committee has developed two fundamental principles on the issue of confidentiality of committee information. These are:

(a) information about committee process is completely open to any person whomsoever,

(b) information about particular candidates is completely confidential unless released by candidates themselves.

## 2.0 Information on Process and Procedures

The *Courts of Justice Act*, by virtue of the amendments made in 1995, sets out very clearly that the Committee is to have 13 members of which the majority shall be lay persons, i.e., neither judges nor lawyers. The appointing bodies are required to recognize that the Committee should reflect the diversity of Ontario's population and maintain linguistic duality, minority and gender balances.

The criteria for, and the manner of, selection of candidates are outlined in this Report.

Committee members individually speak to organizations and at legal conferences to publicize the process of appointments and believe that the process should be completely open and transparent.

## 3.0 Information on Persons who are applying for Appointment

By contrast to the preceding section, the Committee goes to great lengths to protect the privacy of the applicant. These measures include:

(1) keeping most sensitive information securely stored in the private homes of members, or with the Secretary;

(2) keeping applicants apart on interview days;

(3) destroying or shredding applications and notes as soon as possible after appointment of a candidate and after a candidate's application has lapsed;

(4) advising references that their names will not be associated with their confidential comments;

(5) advising lawyers, judges, court officials and community contacts approached for discreet inquiries that their names will not be associated with their confidential comments;

(6) maintaining strict non-access to our files, including government personnel not associated with the Committee;

(7) holding all meetings and interviews in non-government locations.

## 4.0 Seeking Information

The Committee has had one major application from a citizen seeking information about a successful candidate. This application commenced in 1993 and formally concluded in 1997 at which time the Ontario Court of Appeal, overruling the Divisional Court, held that private notes of the Committee members were **not** available to the public under the *Freedom of Information and Protection of Privacy Act* (FIPPA). Details of this litigation are to be found in our Annual Reports of 1996 and 1997.

## 5.0 What is to be done

The Committee has requested and continues to request the Government to amend the *Freedom of Information and Protection of Privacy Act*. The Committee wants to exempt the confidential candidate information from the operation of that Act. There is a precedent for this to be found in S.O. 1994 c.12 under which all records of the Ontario Judicial Council are only to be disclosed if that Council approves such disclosure.

# PART IV

# CRITERIA FOR APPOINTMENT

It is important that eligible members of the Bar and the public be aware of the criteria used by the Committee in the selection of candidates for recommendation, and for convenience, those criteria are reiterated again in this Annual Report.

The current Summary Statement of the criteria is as follows:

## 1.0 Criteria for Evaluating Candidates

### Professional Excellence

- A high level of professional achievement in the area(s) of legal work in which the candidate has been engaged. Experience in the field of law relevant to the jurisdiction of the Ontario Court of Justice on which the applicant wishes to serve is highly desirable but not essential.
- Involvement in professional activities that keeps one up to date with changes in the law and in the administration of justice.
- A demonstrated commitment to continuing legal education.
- An interest in or some aptitude for the administrative aspects of a judge's role.
- Good writing and communications skills.

### Community Awareness

- A commitment to public service.
- Awareness of and an interest in knowing about the social problems that give rise to cases coming before the courts.
- Sensitivity to changes in social values relating to criminal and family matters.
- Interest in methods of dispute resolution alternatives to formal adjudication and interest in community resources available for participating in the disposition of cases.

**Personal Characteristics**

- An ability to listen.
- Respect for the essential dignity of all persons regardless of their circumstances.
- Politeness and consideration for others.
- Moral courage and high ethics.
- An ability to make decisions on a timely basis.
- Patience.
- Punctuality and good regular work habits.
- A reputation for integrity and fairness.
- Compassion and empathy.
- An absence of pomposity and authoritarian tendencies.

**Demographics**

- The Judiciary of the Ontario Court of Justice should be reasonably representative of the population it serves. The Committee is sensitive to the issue of under-representation in the judicial complement of women, visible, cultural, and racial minorities and persons with a disability. This requires overcoming. However, professional excellence is still the paramount criterion in assessing judicial candidates.

# PART V

# JUDICIAL APPOINTMENT PROCESS AND POLICIES

**Set out below is a step-by-step account of how the Committee arrives at its recommendations:**

## 1.0 Overview of Process

### 1. Advertising the Vacancy

All vacancies are advertised in the *Ontario Reports* and *The Lawyers Weekly*. Three weeks are allowed for applications to be received. In addition to advertising, the Committee contacts approximately 218 legal and non-legal associations with advance notice of the vacancy with a request that they bring the copy of the advertisement to the attention of their members. The advertisements are also posted on the Ontario Courts website at *www.ontariocourts.ca/ocj/jaac/*.

### 2. Review of Applications by Members

Each member is provided with a list of all candidates who respond to an advertisement plus copies of all new and updated Judicial Candidate Information Forms. Members carefully review and assess the application forms and list candidates whom they feel should proceed to the second stage of reference checks and confidential inquiries. This list is submitted to the committee secretary who compiles a master list of candidates who have been selected by four or more members for the purpose of making reference checks and confidential inquiries. If any member of the Committee ascertains that a possible suitable applicant for a judicial appointment has not been selected for reference checks and confidential inquiries, the member may request that the applicant's name be added to the list.

### 3. References and Confidential Inquiries

Each member is provided with a list of candidates who have been selected by four or more Committee members for the purposes of reference checks and confidential inquiries. These inquiries are made of the judiciary, court officials, lawyers, law associations, community and social service organizations, plus the named references provided by the candidate. Once the reference checks and confidential inquiries are completed, the Committee meets to discuss the information obtained and to select candidates to be interviewed.

This selection meeting usually takes place three to four weeks after the members have received the list of candidates to be considered. Interviews normally take place approximately two weeks after the selection meeting.

**4. Interviews**

The number of candidates to be interviewed for a judicial vacancy will normally be a maximum of 16 over a two-day period. Each interview will last approximately 30 minutes. The entire Committee sits for each interview but for questioning purposes, the Committee members take alternate interview turns. Following each interview, the Committee discusses the merits of the candidate interviewed. After the last interview for that particular vacancy, the Committee discusses the merits of the candidates interviewed, plus the merits of the candidates interviewed on a prior occasion within the year and who have applied to be considered for the current vacancy.

**5. Recommendations to the Attorney General**

The list of recommended candidates is provided to the Attorney General only after the clearances requested from the Law Society, LawPRO and CPIC checks have been received. These clearances are usually received approximately three weeks after the interviews have taken place.

A short ranked list, together with only the application form submitted by each ranked candidate, is then delivered to the Attorney General.

It is at this point that the Committee's work is complete. A candidate is not notified whether or not his or her name has been put forward in the short ranked list to the Attorney General as this recommendation is personal and confidential for the Attorney General.

**6. Unexpected Vacancies**

It should also be noted that the Committee has established a procedure to avoid delays in filling vacancies that occur unexpectedly, such as from sudden resignation, illness or death. In such cases, when so requested by the Attorney General, it may recommend, without advertising the vacancy, candidates who have previously applied for the area of the judicial vacancy and who have been interviewed. This procedure will only apply to areas where there has been an advertised competition within a twelve-month period. However, the policy of advertising is the procedure of preference and will only be departed from in limited circumstances.

### 7. Interviewing for More Than One Position

Occasionally, after a vacancy has been advertised and the selection process is in progress, a second vacancy occurs in the same location, with the same specialty of law. In these circumstances, in the interest of time, the Committee may forego advertising the second vacancy. The members will evaluate the candidates who have responded to the advertised position and decide which of those candidates will be selected for consideration and interview for both vacancies.

## 2.0 The Judicial Candidate Information Form

1. All candidates must complete a typed Judicial Candidate Information Form (revised) which has been designed to elicit information that is not usually included in a standard curriculum vitae, such as the nature of the legal work and experience gained in various positions the candidates have held, including pre-law experience. Also, applicants are required to express their reasons for wanting to become a judge and provide an appraisal of their own qualifications for being a judge.

   Candidates who send in their standard curriculum vitae and do not complete the Committee's form are not considered.

2. Candidates are required to provide 14 copies of the Judicial Candidate Information Form together with a copy each of the signed Security Release Form, Release of Information Form and Authorization and Release Form in the first instance, and for subsequent applications, 14 copies of a letter requesting consideration. Should a candidate wish to change any information in his or her application, he or she must send in 14 copies of a fully revised Judicial Candidate Information Form.

3. A candidate must apply by application or letter for each and every advertised vacancy that is of interest. The Committee does not automatically consider applications on file. It is preferred that a candidate submit a new application after one year to reflect any changes in the application.

4. A Judicial Candidate Information Form is kept on file for one year. At the end of one year, a candidate is advised that his or her form is out of date and in order to maintain a current application, 14 copies of a new revised form should be submitted.

5. All responses to an advertisement to be considered for a judicial vacancy are acknowledged. However, the Committee does **not** advise candidates that they have not been selected for an interview. Instead, the acknowledgement letter states: "*If you are selected for an interview, you will be contacted by telephone during the week of.....*".

6. Candidates who have been interviewed within the previous twelve-month period may not necessarily be re-interviewed but will be equally considered, based on the previous interview, by the Committee in determining its list of recommendations, provided that he or she has applied to be considered for the vacancy advertised.

7. Candidates who are interviewed and/or candidates who have been interviewed on a previous occasion and who have requested to be considered for a particular advertised vacancy **are not** advised as to whether they have been included in the list submitted to the Attorney General. Also, the Committee does not advise applicants when its work has been completed for a particular judicial vacancy and a list of recommended candidates has been submitted to the Attorney General.

## 3.0 References

1. The Committee requests that a candidate does not send or have submitted letters of support.

2. The Committee requires a candidate to provide the names, complete residential/office and e-mail addresses, including postal codes, home telephone and business telephone numbers of his or her named references. Care should be taken to provide the correct information before submitting the form. Since the members who check the references frequently do so during evenings and weekends, it is essential that home telephone numbers be provided.

3. All named references receive a letter from the Committee advising them that a candidate has provided their names for reference purposes and that they may be contacted by a member of the Committee. They are advised that they do not have to write to the Committee. Attached to the letter is a list of current Committee members.

4. The Committee maintains strict confidentiality with respect to the information provided by named references and obtained by confidential inquiries.

## 4.0 Law Society and Other Outstanding Complaints and Claims

1. Membership: To qualify for consideration, candidates must have been a member of the Bar of one of the provinces or territories of Canada for at least 10 years, or, for an aggregate of at least 10 years, been a member of such Bar or served as a judge anywhere in Canada, after being a member of such a Bar, and currently be a member in good standing.

2. Complaints as to Practice: Candidates will generally not be considered for an interview if they have any outstanding complaints registered with a Law Society. The candidate is responsible for ensuring the removal of such complaints; however, if the Committee receives sufficient information as to the complaint being frivolous or lacking in foundation, then such a complaint will not be a bar to the candidate being considered and interviewed, but the candidate would not be recommended until it has been removed.

3. If the candidate has been sanctioned by The Law Society of Upper Canada or any other Law Society, the Committee wants to know the circumstances. The Committee will then decide whether the candidate should still be considered for a judicial appointment.

4. Errors and Omissions Claims: Candidates will generally not be considered for an interview if they have any outstanding Errors and Omissions claims registered with the Lawyers' Professional Indemnity Company. The candidate is responsible for ensuring the removal or resolution of such claims; however, if the Committee receives sufficient information that the claim is not substantiated, then such a claim will not be a bar to the candidate being considered and interviewed, but the candidate would not be recommended until it has been removed.

5. Civil Claims or Judgments: Members of the Committee would be prepared to consider the application of a candidate who is involved in a civil claim or proceeding if, after receiving details of the proceeding, the members are of the opinion that the nature of the claim is such that it should not prevent the candidate from being considered for a judicial appointment.

6. Other Financial Matters: The Committee must be informed of any outstanding civil judgments, arrears in family support payments, any past or present proposals to creditors or assignments in bankruptcy, or serious financial difficulties of each candidate.

7. The Committee must also be informed by the candidate if he or she is the subject of any current court order.

## 5.0 Criminal Record

The Committee will not consider a candidate who has a criminal record.

## 6.0 Conflict of Interest Guidelines

1. The Committee will not consider an application for judicial appointment from a member of the Legislative Assembly if he/she is a member of the political party of the current government. Former members of the Legislative Assembly of the same political party as the current government may apply two years after the date of resignation or retirement from office.

2. Members of the Committee cannot apply to be considered for a judicial appointment for a period of two years from the date they cease to serve as a member of the Committee.

3. No current member of the Committee can act as a reference for a candidate seeking a provincial judicial appointment.

4. Members of the Committee who have a conflict or a perceived conflict in the nature of a potential bias or prejudice in regard to a candidate must declare such conflict and refrain from taking part in the entire process for the vacancy for which the candidate has applied.

## 7.0 Re-Interviewing Candidates

The Committee does not maintain a pool of candidates who have previously been recommended but not appointed, or interviewed but not recommended.

The Committee does not consider it essential to re-interview a candidate who has been interviewed in the previous twelve months. That candidate will be compared objectively and ranked along with all other persons interviewed for that vacancy so long as the candidate has requested in writing to be considered for that advertised vacancy. Nevertheless, the Committee may, in its discretion, re-interview a previously interviewed candidate, and, in fact, does in circumstances where it deems it appropriate.

## 8.0 Notice of Vacancies and Transfer after Appointment

When a vacancy in the complement of the Ontario Court of Justice occurs, the Chief Justice of the Ontario Court of Justice, after considering the judicial resources required throughout Ontario, determines the location of the vacancy to be filled and advises the Attorney General accordingly. The Attorney General then requests the Committee to commence its process to identify candidates suitable for judicial appointment in order to make recommendations to him.

Because of the many requests for transfer, the Chief Justice has advised the Committee that while the Chief Justice retains the discretion to assign judges according to the needs of the Court at any time, it is the general policy of the Ontario Court of Justice that no personal request for permanent re-assignment will be considered for a period of at least five years following a judge's appointment. The determination of a judicial vacancy involves a review and assessment of the needs of the Court and a long-term commitment to the community in which the vacancy is declared. It is a commitment that is made both by the Court and by the judge who is appointed to that position. Generally speaking, where a judge is appointed to sit at a base court location and the judge does not live within that community or near to it, the Court will expect the judge to move either to the community or to within a reasonable distance of it shortly after the judge's appointment. The Court will, as set out in the Judge's Manual in those circumstances, pay for the cost of transportation for the judge and the judge's family, and for moving expenses. Once a judge has been on the bench for a period of five years, the judge may request a re-assignment to another base court location. If a vacancy subsequently arises, that request will be considered along with requests received from other judges who wish to move to the same location. Other factors will also be taken into account, including the needs of the locations involved, the views of the regional senior judges and of the judges at the affected locations.

## 9.0 Changes in Committee Membership

Mr. Justice Timothy Lipson was appointed by the Chief Justice of the Ontario Court of Justice to replace Mr. Justice William Horkins, whose term expired on October 4, 2012.

## 10.0 Support Staff

Priscilla Chu has been the Committee Secretary since December 6, 1999. Her work and dedication has proved invaluable in maintaining a high level of proficiency in all areas of the Committee's work. Ms. Chu anticipates the needs of the Committee and, like the Committee members, works arduously. Her contribution to the Committee cannot be over emphasized. Her knowledge of all aspects of the process and smooth co-ordination allow the Committee members to concentrate on the selection of appointments to the Judiciary.

The Committee also wishes to acknowledge the professionalism and commitment of Ms. Carol Chan. Her organizational skills, coupled with a congenial manner, have provided exemplary secretarial and clerical service to the Committee.

Finally, the Committee would like to extend its appreciation to the Honourable John Gerretsen, Attorney General for Ontario. It also wishes to acknowledge the co-operation that it has received from Mr. Robert Lecour, A/Senior Manager of Judicial Support Services of the Ministry; Mr. Michael Elliott at The Law Society of Upper

Canada; Ms. Donna Bronstine at the Toronto Police Services and Mr. Jack Daiter at the Lawyers' Professional Indemnity Company.

## 11.0 Communications, Education and Marketing

### The Committee

- notified approximately 218 organizations, including law schools, that the Committee would be pleased to attend any meetings of any group to explain its mandate, criteria and procedures. This offer extends to both legal and non-legal organizations;

- has appeared and spoken at various legal meetings and to associations, including the Annual Institute of the OBA and council meetings of the Ontario Bar Association;

- has appeared and spoken at schools and universities.

### Initiatives

Mr. Hanny Hassan, Chair of the Committee, was invited to speak on the topic of judicial diversity in Ontario.

On May 17, 2012, he attended a panel discussion organised by The Law Society of Upper Canada, the Canadian Association of South Asian Lawyers, the Federation of Asian Canadian Lawyers and the South Asian Bar Association on "Promoting Equality & Diversity on the Bench".

On June 8, 2012, at the invitation of the Federation of Asian Canadian Lawyers and the Employment Equity and Diversity Advisory Committee at the Department of Justice, Mr. Hassan made a presentation to a gathering of lawyers at the Department of Justice in Toronto on the judicial appointment process in Ontario and diversity on the Bench.

# PART VI

# LOOKING TO THE FUTURE

## 1.0 Recommendations of Candidates

The Committee believes that trial experience is important. However, it also believes that all its criteria must be applied in assessing the merits of each applicant. Accordingly, the Committee from time to time has recommended and will continue to recommend suitable individuals who are not trial lawyers but who have achieved a professional excellence in other areas of law.

The Committee has continued the increased number of interviews for each vacancy. With the inclusion for consideration of all candidates who have been interviewed in the previous twelve months, a larger number of candidates from diverse backgrounds are being considered for recommendation to the Attorney General on a ranked list. Professional excellence remains of paramount importance to the Committee.

## 2.0 Outreach

The Committee has firmly accepted outreach as one of its roles, and will continue to invite candidates from the various under-represented sections of the legal community to seek appointment. It is looking for ways to communicate with all eligible candidates to encourage them to consider a public service through appointment to the Ontario Court of Justice.

Although there has been a steady increase in the number of students from traditionally under-represented communities entering the legal profession, the Committee recognizes that there are a number of barriers, both physical and societal, to be overcome before there will be a large enough pool to enable Ontario to reach its goal of a truly representative judiciary.

The Committee has found that, frequently, applicants from the various under-represented groups do not re-apply if unsuccessful in their first application for a particular judicial vacancy. The Committee encourages all lawyers with the requisite qualifications to apply and continue to apply if they are desirous of seeking a judicial appointment.

The following table shows the percentage of applications from women on an annual basis:

| Year | Total of New Applications Received | Female Applicants | Percent of Female Applicants |
|---|---|---|---|
| 1989 | 338 | 42 | 12% |
| 1990 | 318 | 137 | 43% |
| 1991 | 116 | 44 | 37% |
| 1992 | 186 | 58 | 31% |
| 1993 | 113 | 39 | 34% |
| 1994 | 137 | 51 | 37% |
| 1995 | 85 | 22 | 26% |
| 1996 | 235 | 52 | 22% |
| 1997 | 108 | 30 | 28% |
| 1998 | 148 | 38 | 26% |
| 1999 | 142 | 36 | 25% |
| 2000 | 126 | 36 | 29% |
| 2001 | 100 | 33 | 33% |
| 2002 | 29 | 10 | 34% |
| 2003 | 175 | 73 | 42% |
| 2004 | 75 | 28 | 37% |
| 2005 | 149 | 49 | 33% |
| 2006 | 120 | 55 | 46% |
| 2007 | 87 | 35 | 40% |
| 2008 | 122 | 51 | 41% |
| 2009 | 48 | 22 | 46% |
| 2010 | 54 | 23 | 41% |
| 2011 | 121 | 64 | 53% |

| Year | Total of New Applications Received | Female Applicants | Percent of Female Applicants |
|---|---|---|---|
| 2012 | 84 | 49 | 58% |
| TOTAL | 3,216 | 1,077 | 34% |

The Committee is concerned about the number of new applications. It is to be noted that the quality of the applicants is high; nevertheless, the Committee feels that there are many truly qualified applicants out there, but are not applying.

The Committee believes that the profession, community groups and the public in general have a duty to encourage appropriate lawyers to submit applications.

The Committee acknowledges that it must increase its efforts to encourage qualified members of under-represented groups to apply for judicial positions.

## 3.0 A Representative Committee

It is important to have representation on the Committee that is as diverse as possible. Subsection 43(3) of the amended Act establishes criteria for Committee members as follows:

> In the appointment of members ..., the importance of reflecting, in the composition of the Committee as a whole, Ontario's linguistic duality and the diversity of its population and ensuring overall gender balance shall be recognized.

In 2012, the Committee consisted of eight male and five female members, from different geographical areas of the Province. Although it may not be possible for the Committee to reflect all groups at all times, a good balance certainly enriches its deliberations. It is important that this continue.

Although the Attorney General makes the majority of appointments to the Committee, it is equally important that the remaining members appointed by The Law Society of Upper Canada, the Chief Justice, the Ontario Bar Association, the County and District Law Presidents' Association and the Ontario Judicial Council also continue to be reflective of the population of the Province of Ontario.

The Chief Justice designates certain judicial positions, in locations where there are large Francophone populations, to be bilingual. To assess the capabilities of candidates to

conduct a trial in French, it is essential that some members of the Committee be bilingual. In 2012, three committee members are fluent in both English and French.

# CONCLUSION

The Committee has established criteria and procedures that have resulted in a fair and impartial process for the appointment of judges to the Ontario Court of Justice, one that it hopes has assisted in removing any perception of unwarranted political bias or patronage in appointments to the judiciary. It will continue to re-evaluate its criteria and procedures. The Committee has worked to ensure that the candidates recommended to the Attorney General possess all the required qualities set out in its criteria and are well regarded by their peers and community.

The Committee will continue its pursuit of excellence in recommending candidates for appointment as judges to the Ontario Court of Justice. It will continue to encourage applicants from under-represented groups such that the provincial judiciary shall reasonably reflect the diversity of the population it serves. The quality of the applicants it sees is impressive.

The majority of the Committee members are lay persons who work during the day and give extraordinarily of their time and abilities to the workings of the Committee. Despite a heavy workload, Committee members work tirelessly to maintain a high level of interest in the process and derive a great deal of personal satisfaction in being part of this rewarding work.

Set out below is the estimated time spent by a lay member on the selection and recommendation process for one judicial vacancy:

Stage 1: Review of applications received
- on average, 150 applications are received for each advertised vacancy
- 15 minutes to go over one application

15 min. x 150 = 2250 minutes = **37.5 hours**

Stage 2: Reference checks
- 4 named referees for each applicant
- assuming each member has to conduct reference checks on 5 applicants and each reference check takes 15 minutes

15 min. x 5 x 4 = 300 minutes (minimum - to add call back time) = **5 hours**

Stage 3: Preparation for selection meeting
- on average, 60 applicants are on the list to be selected for an interview
- time spent going over applications and notes on reference checks/discreet inquiries
- 15 minutes per applicant

15 min. x 60 = 900 minutes = **15 hours**

Stage 4: Selection meeting, on average, to select 16 applicants out of 60 to be interviewed
- 3 minutes for each applicant

3 min. x 60 = 180 minutes = **3 hours**

Stage 5: Preparation for interviews
- assuming 15 minutes are spent on reviewing each application and notes on reference checks/discreet inquiries on 16 candidates

15 min. x 16 = 240 minutes = **4 hours**

Stage 6: Interviews, on average, 16 interviews over 2 days
- 45 minutes per interview

45 min. x 16 = 720 minutes = **12 hours**

Stage 7: Evaluation of previously interviewed candidates
- Discussion of candidates' merits
- Recommendation

**1 hour – 2 hours**

Estimated total hours spent by each lay member on one judicial vacancy = **78.5 hours**

Assuming there are 7 hours in a working day, 78.5 hours = **11.21 days**. The above numbers and figures are estimates only.

The above estimate does not allow for travel time associated with attendance at committee meetings.

In addition, each Committee member has additional administrative work relating to the maintenance of all the confidential documents associated with the work of the Committee. Currently, there are some 332 active files. The typical file is 13 to 15 pages in length and is updated usually once a year and during the selection process for the judicial vacancy if that person has applied.

Therefore, I wish to personally commend each of the lay members as well as the judicial and lawyer members for his or her contribution to the justice system in Ontario.

All of which is respectfully submitted,

Original signed by Hanny A. Hassan

Hanny A. Hassan, C.M.
Chair

## MEMBERS:

### Hanny A. Hassan, C.M., London: (Lay Member) (Chair)

After obtaining his Bachelor of Engineering degree from the University of Western Ontario in 1964, Mr. Hanny Hassan received his Master of Engineering degree from Dalhousie University (formerly Technical University of Nova Scotia) in 1971. Mr. Hassan has been an active professional, advancing within a major professional engineering consulting firm, where he served as a Director and a Partner of the firm until his retirement in 2002. He now manages an independent consulting engineering practice, Alef Consulting Inc., in London, Ontario. Hanny presently serves on the Board of Governors and Governance Committees of the University of Western Ontario. He is a member of the National Executive and Vice Chair of the Ontario Panel of the Canadian Broadcast Standards Council. He is presently the Co-Chair of the National Muslim Christian Liaison Committee. He served as the President of the Ontario Advisory Council on Multiculturalism and Citizenship, from 1991 to 1995. He was, for many years, a member of the community advisory committee of OMNI Television. In December 2010, Mr. Hassan was named a Member of the Order of Canada by the Governor General of Canada for his long-time volunteer work in promoting understanding between cultures and religions.

### Madam Justice Lise Maisonneuve, Regional Senior Justice, Ottawa

Justice Lise Maisonneuve was appointed to the Ontario Court of Justice in 2003 following her legal career as a partner in an Ottawa criminal law firm. Her work as a lawyer not only encompassed traditional defence work but also included administrative tribunal work. Between January 1997 and December 1998 she was special legal advisor to the late Chief Justice Brian Dickson in the review of the Military Justice system. Since being appointed to the Ontario Court of Justice, Justice Maisonneuve has been active in the development of the Mental Health Court in Ottawa and is involved in judicial legal education. In 2008, she was appointed the Local Administrative Judge for Ottawa. In August 2011, she was appointed the Regional Senior Justice for the East Region of the Ontario Court of Justice. Regional Senior Justice Maisonneuve is appointed to the Committee by the Chief Justice of the Ontario Court of Justice.

## Mr. Justice Timothy R. Lipson, Toronto

Justice Timothy Lipson was appointed to the Ontario Court of Justice in March, 2002 and sits in Scarborough where he is currently the Local Administrative Justice. Called to the Bar in 1978, he practised exclusively criminal law. He served as an Assistant Crown Attorney for seven years and was in private practice for seventeen years. From 1985 to 2002, Justice Lipson served as a member of the Ontario Review Board, including ten years as an Alternate Chairperson of the Board. He was lead counsel for the Criminal Lawyers' Association at the Commission on Proceedings Involving Guy Paul Morin. Throughout his careers as lawyer and judge, Justice Lipson has participated in continuing legal education. For several years he taught criminal procedure at the Law Society of Upper Canada Bar Admission Course. He has lectured and appeared on numerous panels on a wide array of topics related to criminal law. Justice Lipson taught a course on sentencing at the Faculty of Criminology, Justice and Policy Studies, University of Ontario Institute of Technology and has been an instructor in trial advocacy at Osgoode Hall Law School. From 2008-11, Justice Lipson served as a member of the Ontario Judicial Council. Justice Lipson is appointed to the Committee by the Chief Justice of the Ontario Court of Justice.

## Madam Justice Eileen Martin, Welland

Justice Martin was educated at the University of New Brunswick (Hon. B.A. 1976). She obtained her L.L.B. from Osgoode Hall Law School in 1979. After practicing for five years in Toronto at a specialized family law firm, she spent one year teaching at Osgoode Hall Law School and at the University of Saskatchewan. From 1987 until the date of her appointment she maintained a family law practice at the law firm of Chown, Cairns in St. Catharines, Ontario. She was on the Executive and President of the Lincoln County Law Association and participated as a speaker in various Educational Seminars in the area of Family Law at both the local and provincial level. After being appointed as a Judge of the Ontario Court of Justice in 2006, she has sat in Welland hearing family law cases. In August of 2009 she was appointed by the Chief Justice of the Ontario Court of Justice as a member of the Ontario Judicial Council. Justice Martin is appointed to the Committee by the Ontario Judicial Council.

## Alan D. Gold, Toronto: (Lawyer)

Mr. Alan Gold practises at Alan D. Gold Professional Corporation. He graduated from Queen's University Faculty of Law in 1970 with the Gold Medal in Law. He was called to the Bar in 1973. His practice is restricted to criminal trial and appellate work. He has appeared as counsel before all levels of courts in Ontario, as well as in other provinces. Mr. Gold has defended accused in many major trial matters. A large number of the many hundred appellate cases Mr. Gold has argued before the Ontario Court of Appeal and Supreme Court of Canada are reported. Mr. Gold is certified by The Law Society of Upper Canada as a Specialist in Criminal Litigation and was the first Chairman of the Criminal Litigation Specialty Committee for five years. He was honoured in 1997 with the annual G. Arthur Martin Award for Contribution to Criminal Justice. Mr. Gold was President of the Criminal Lawyers' Association for two terms from November 1997 through October 2001. Mr. Gold, elected as a Bencher of The Law Society of Upper Canada in May 2003 for a four-year term, was re-elected in 2007 and 2011. Mr. Gold is an inductee of the American College of Trial Lawyers and a member of the Ontario Criminal Lawyers' Association and the National Association of Criminal Defence Lawyers (U.S.). Mr. Gold has written many articles and other publications on legal topics and has delivered speeches and presentations on a wide assortment of legal topics to lawyers, judges, law students and other audiences, and is frequently a media commentator. Mr. Gold's most recent book is Expert Evidence in Criminal Cases: The Scientific Approach, Second Edition (Irwin Law, 2009). Mr. Gold is also author of The Practitioner's Criminal Code, an annual publication with its inaugural edition published in 2007. Mr. Gold is appointed by The Law Society of Upper Canada to this Committee.

## W. Ormond Murphy, Ottawa: (Lawyer)

Ormond received his Bachelor of Laws (1975) from Queen's University and was called to the Ontario Bar in 1977. He is currently practising in association with Tierney, Stauffer, primarily in the fields of estates and trusts and civil litigation. Ormond has been actively involved in Continuing Legal Education and has been a guest lecturer in programs on Family Law and Estates and Trusts for The Law Society of Upper Canada, Ontario Bar Association, County of Carleton Law Association, University of Ottawa Law School and Carleton University. Ormond is author of Inter Vivos Gifts and Evidentiary Presumptions, Special Lectures of The Law Society of Upper Canada, 1996. Ormond was President of the County of Carleton Law Association in 1995, and was a member of the Board of Directors of the County and District Law Presidents' Association from 1996 to 2008, serving as Chair from 2004 to 2006. Mr. Murphy is appointed to the Committee by the County and District Law Presidents' Association.

## Frank E. Walwyn, Toronto: (Lawyer)

Frank is a partner at WeirFoulds LLP, one of Canada's oldest law firms. Frank appears as counsel on complex multi-jurisdictional litigation matters. He is licensed to practise law in Canada, and is also a member of the bars of Anguilla, Antigua and Barbuda, Barbados, Belize, the British Virgin Islands, Dominica and St. Kitts and Nevis. Frank is repeatedly named as one of Canada's top lawyers in the area of Corporate and Commercial Litigation in *The Best Lawyers in Canada*. Frank also holds an appointment as a Distinguished Visiting Scholar at Ryerson University's G. Raymond Chang School of Continuing Education. Frank participates on many legal and community boards and initiatives, including: a member of The Advocates' Society (TAS) International Training Committee; former President and member of the Canadian Association of Black Lawyers (CABL); membership in the Ontario Bar Association (OBA); member of the board of Community Legal Education Ontario (CLEO), a specialty clinic that produces and delivers public legal education to communities in Ontario that are low-income or who otherwise face barriers to full participation in the justice system; and membership on the Steering Committee of DiverseCity: The Toronto Leadership Project, which is aimed at diversifying Toronto's leadership landscape. Frank has been recognized often for his significant contributions and dedication to the community, including as a recipient of The Law Society of Upper Canada's Lincoln Alexander Award (2013) and a Queen Elizabeth II Diamond Jubilee Medal (2012). Frank speaks regularly to various audiences on diversity issues, and is a frequent presenter at continuing professional development seminars in many areas dealing with the litigation process, including seminars put on by the OBA, TAS, CABL, The Law Society of Upper Canada, the Organisation of Eastern Caribbean States Bar Association and the Judicial Education Institute of the Eastern Caribbean Supreme Court. Frank is appointed by the Ontario Bar Association to the Committee.

## Roger R. Davidson, Long Sault: (Lay Member)

Mr. Davidson is a native of Sturgeon Falls. He has taught in elementary and secondary schools, in French-language and in English-language school boards. He has taught in regular and in special education programs, and has served as a vice-principal, a school principal, and a curriculum consultant. His academic qualifications include a B.A and a M.Ed. in Educational Administration from the University of Ottawa. He has worked with the Ministry of Education as an Educational Officer at the Central Ontario Regional Office. He has also served as a Superintendent of Education with the Stormont, Dundas and Glengarry County Board of Education and with the Sudbury District Roman Catholic Separate School Board where he was responsible for such portfolios as Personnel, Special Education, Curriculum, Operations, and French Immersion. He also served as Director

of Education for the Timmins District Roman Catholic Separate School Board as well as for the Stormont, Dundas and Glengarry Roman Catholic Separate School Board. After thirty-five years in education, Mr. Davidson retired in 1999.

## Asha Luthra, Mississauga: (Lay Member)

Asha Luthra is a post graduate from the Bombay University where she majored in Economics. She started her career as a lecturer in MV and Lu College but moved to work with Air India in their sales and marketing division. After migrating to Canada and working for a wholesale group, she started her own venture called Joy Tours n Travel looking after the travel and hospitality needs of special groups. Asha is the Head of AL Consulting and also Director of Business Development with the Excelsior Financial Group dealing with investments both in Canada and India. She has been a strong advocate for issues concerning women and was a faculty for the Indian Junior Chamber for a number of years. She was the first woman State President for Maharashtra of the widely known organization called Jaycees. She has been a member of various voluntary organizations. She was also appointed as a Justice of Peace for the Maharashtra State – India. In 2008, she became the first lady President of the 35-year old organization called the Indo Canada Chamber of Commerce.

## Brian Mullan, Ancaster: (Lay Member)

Born and raised in Hamilton, Ontario, Brian is a career police officer who retired as the Chief of Hamilton Police Service in December 2009. He has received the Police Exemplary Service Medal and he has been appointed as a Member of the Order of Merit for Police. Brian has a Bachelor's Degree in Business Administration. He is a graduate of the F.B.I. Academy in Quantico, Virginia and the F.B.I's prestigious National Executive Institute. Brian has also attended the University of Toronto's Rotman School of Business, Mohawk College and Bay Area Leadership Program. Brian is active in his community having served as Chair of the Hamilton Community Care Access Centre, the Hamilton District Health Council and he is the Immediate Past President of Eastern Canada Chapter of the Federal Bureau of Investigation National Academy Associates. Brian is currently a Member of the Board of Governors for Mohawk College and he is the Vice President of the St. Joseph's Hospital Foundation.

## Ann Murphy, Brampton: (Lay Member)

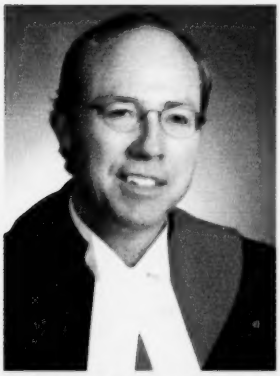
Formerly a high school teacher-librarian with overseas teaching experience, Ann Murphy has also worked in commercial and corporate banking and investment sectors in Europe. She has traveled extensively in North America, Africa and Europe and initiated such community building projects as cross-border cultural exchanges for women in Northern and Southern Ireland. Currently, Ms. Murphy is involved in the Peel community through CARABRAM, Brampton's annual multicultural festival and is a member of Brampton South Rotary. She also sits on the Executive and Board of Directors of United Way Peel Region. She holds a Bachelor of Arts and Masters of Education and is Governor of the Ontario Teachers' Federation for Ontario English Catholic Teachers' Association. She also sits as a member of the Board of Directors of the Institute of Catholic Education.

## Gail Stiffler, Kingsville: (Lay Member)

Mrs. Gail Stiffler is the President and General Manager of Toni-Gail Enterprises Ltd. since 1976. Mrs. Stiffler operated the Copper Kettle Restaurant in Harrow for twenty-three years. In 1999 she sold the business, after developing it into a highly successful enterprise and a landmark in Essex County. While living in Harrow, she served her community as Municipal Town Councillor. She is Past President of the Harrow and Colchester South Chamber of Commerce and took the lead role in developing their award-winning Strategic Plan for Economic Development. As Chair of the Committee to Amalgamate the Harrow and Colchester South Police Services, she worked with the Solicitor General's Office and the Ontario Civilian Commission on Police Services to negotiate an acceptable contract for all parties. She co-chaired the committee to "Save Harrow High School" which developed a workable plan with the School Board to save the school from closure. She served on the Board of Directors of the South Essex Economic Development Corporation and later took the position of Acting Manager and Economic Development Officer. As Founder of the County Focus on Business Association, she worked closely with all Business Improvement Associations (BIAs) and Chambers of Commerce in Essex County to stimulate and attract business to the area. In 1995 she founded the South Essex Tourism Association (SETA) which brought together tourist-related businesses and organizations to develop a united marketing plan for Essex County. Over the years she has served her community on several volunteer boards and non-profit organizations including the Harrow and Colchester South Youth Association, Canadian Artist's Workshop, Kingsville Community Policing and the Kingsville Economic Development Committee.

## Gabriel Tremblay, Blind River: (Lay Member)

Mr. Tremblay retired in 1999 after 29 years in the teaching profession at the Elementary Level. He graduated from Laurentian University with a Major in Sociology and Political Science. He possesses a broad range of experience: Councillor, Town of Blind River for 24 years, Director of AFMO (Association Francaise des Municipalites de l'Ontario), Member of Blind River Police Board, President for the North Shore Region of AEFO (Association des Enseignants francais de l'Ontario), President of the Holy Family Parish Church Council, President of Royal Canadian Legion Branch 189 and presently a Life Member (served in the late 50's in the Royal Canadian Air Force). He continues to be involved and presently is the President of Blind River Non-Profit Housing Corporation, a Board Member of Algoma District Services Administration Board representing the territory without municipal organization, and Director of the Blind River Development Corporation.



## Mr. Justice William B. Horkins, Toronto *(Retired on October 4, 2012)*

Appointed to the Ontario Court of Justice in 1998, Justice Horkins is presently the Local Administrative Judge at the College Park Courthouse in Toronto, a member of the Ontario Court of Justice Information Technology Committee and a former member of the Court's Education Secretariat. Justice Horkins was called to the Bar in 1980 and practised primarily in the field of criminal law and professional discipline advocacy as both trial and appellate counsel. He was certified by The Law Society of Upper Canada as a Specialist in Criminal Litigation. In addition to his defence practice, he acted frequently as counsel to victims of crime seeking advice, standing and compensation. For many years, he was a part-time Assistant Crown Attorney and Counsel to the Discipline Committee of The Ontario College of Pharmacists. Justice Horkins has had a long-standing involvement in continuing legal education. He has been a Special Lecturer in Trial Advocacy at the Faculty of Law, University of Toronto, an Instructor at the Bar Admission Course and a frequent presenter and conference planner in education programs of the National Judicial Institute and the Ontario Court of Justice. Justice Horkins was appointed to the Committee by the Chief Justice of the Ontario Court of Justice.

APPENDIX I

Ontario

# WHERE DO JUDGES COME FROM?

*THE PROCESS OF APPOINTMENT OF ONTARIO PROVINCIAL JUDGES*

"Judges ought to be more learned than witty; more reverend than plausible, and more advised than confident. Above all things, integrity is their portion and proper virtue."

*Lord Chancellor Bacon*
*Essays: Of Judicature (1597)*

## OUTREACH

Committee members are available to speak to your organization about the Committee and the selection process. Requests for presentations should be forwarded to:

The Secretary
Judicial Appointments Advisory Committee
3rd Floor, 720 Bay Street
Toronto, Ontario M7A 2S9
Telephone: (416) 326-4060
Fax: (416) 212-7316
Email: Priscilla.Chu@ontario.ca

*This leaflet is also available in the French language.*

*This leaflet, the current Judicial Candidate Information Form and policies and process are also available on the Ontario Courts website @ http://www.ontariocourts.ca/ocj/jaac/.*

## COMMITEE MEMBERS

Mr. Hanny Hassan, C.M. (Chair)
London, Ontario

The Honourable Justice Lise Maisonneuve
Regional Senior Justice – East Region
Appointment of the Chief Justice
Ottawa, Ontario

The Honourable Mr. Justice Timothy Lipson
Appointment of the Chief Justice
Toronto, Ontario

The Honourable Madam Justice Eileen Martin
Appointment of Ontario Judicial Council
Welland, Ontario

Mr. Alan Gold
Appointment of The Law Society of Upper Canada
Toronto, Ontario

Mr. W. Ormond Murphy
Appointment of County & District Law Presidents' Association
Ottawa, Ontario

Mr. Frank E. Walwyn
Appointment of Ontario Bar Association
Toronto, Ontario

Mr. Roger Davidson
Long Sault, Ontario

Ms. Asha Luthra
Mississauga, Ontario

Mr. Brian Mullan
Ancaster, Ontario

Ms. Ann Murphy
Brampton, Ontario

Ms. Gail Stiffler
Kingsville, Ontario

Mr. Gabriel Tremblay
Blind River, Ontario

## The Judicial Appointments Advisory Committee of Ontario

### A Brief History

In 1988, Attorney General Ian Scott announced a three-year pilot project to try a different model of appointment for Provincial Court Judges. The Judicial Appointments Advisory Committee (JAAC) began its work under the chairmanship of Professor Peter Russell with a mandate: "First, to develop and recommend comprehensive, sound and useful criteria for selection of appointments to the judiciary, ensuring that the best candidates are considered; and, second, to interview applicants selected by it or referred to it by the Attorney General and make recommendations."

Between 1990 and 1995, the size of the pilot committee grew from 9 to 13 persons and the committee worked at developing criteria and procedures which were reviewed, refined and eventually publicized. In 1992, under the chairmanship initially of Professor Emily Carasco and then Associate Chief Judge Robert Walmsley, the Committee issued a Final Report and prepared recommendations for draft legislation to ensure that judges in future will be appointed by a process independent of political considerations.

JAAC was formally established on February 28, 1995 by proclamation of the Courts of Justice Act amendment passed in 1994.

The Committee began a programme of public information to tell interested people how the appointment system works.

The Judicial Appointments Advisory Committee is required to provide the Legislature with an Annual Report.

## WHO SHOULD APPLY?

To qualify for consideration, applicants must have at least 10 years membership at the Bar in one of the provinces or territories of Canada. Applicants must have a sound knowledge of the law, an understanding of the social issues of the day and an appreciation for the cultural diversity of Ontario.

While courtroom experience is a distinct asset, the Committee also considers suitable candidates whose experience includes work with administrative tribunals, academia and in the social policy field.

Applications are encouraged from women, aboriginal peoples, francophones, persons with disabilities, and visible and ethnocultural minorities.

Applicants with Errors and Omissions claims or complaints on file with the Law Society of Upper Canada or any other Society will generally not be considered until such claims have been cleared. The candidate is responsible for ensuring the removal of such claims or complaints; however, if the Committee receives sufficient information as to the claim or complaint being frivolous or lacking in foundation, then such a claim or complaint will not be a bar to the candidate being considered.

Applicants who are involved in civil claims or proceedings would be considered if the Committee is of the opinion that the nature of such a claim does not prevent the candidate from being considered.

The Committee must be informed of any outstanding civil judgments, arrears in family support payments and any past or present proposals to creditors or assignments in bankruptcy.

The Committee will not consider a candidate who has a criminal record.

## PROCESS

Vacancies on the Bench are advertised in the Ontario Reports and The Lawyers Weekly as the need arises. Candidates must submit 14 copies of a prescribed application form. These applications are reviewed by the Committee and a short list is prepared. The Judicial Appointments Advisory Committee meets to select candidates for interviews from the short list.

After reference checks, confidential inquiries and interviews, the Committee sends a ranked list of its recommendations to the Attorney General who is required to make the appointment from that list.

## COMPOSITION OF THE COMMITTEE

The Legislation requires the composition of the Committee to reflect the diversity of Ontario's population, including gender, geography, racial and cultural minorities. In addition to seven (7) lay members who are appointed by the Attorney General, six (6) from the legal community are appointed by the Chief Justice of the Ontario Court of Justice. The Law Society of Upper Canada, Canadian Bar Association - Ontario and the County and District Law Presidents' Association respectively. All members serve for a term of three (3) years.

## CONFIDENTIALITY

The selection process including the application form is treated with total confidentiality.

## INDEPENDENCE

The Committee is independent of the Ministry of the Attorney General and the Government.

# APPENDIX II

## JUDICIAL APPOINTMENTS RECOMMENDED BY THE JUDICIAL APPOINTMENTS ADVISORY COMMITTEE JANUARY 2012 - DECEMBER 2012

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Dunn, Melanie Darlene | Sault Ste. Marie | 15 August 2012 |
| George, Jonathon Craig | London | 7 March 2012 |
| Giamberardino, Franco | Cornwall | 20 June 2012 |
| Graham, Matthew Edward | Woodstock | 19 December 2012 |
| Harrison, Steven Paul | Owen Sound | 20 June 2012 |
| Johnston, Cynthia | Oshawa | 11 July 2012 |
| Jones, Carolyn Jane | Toronto | 20 June 2012 |
| Lahaie, Diane M. | Ottawa ✷ | 7 March 2012 |
| Letourneau, Allan Gary | Kingston | 11 July 2012 |
| Perron, Alain H. | Parry Sound ✷ | 25 April 2012 |

✷ Denotes designated bilingual position

# APPENDIX III

## JUDICIAL APPOINTMENTS RECOMMENDED BY THE JUDICIAL APPOINTMENTS ADVISORY COMMITTEE JANUARY 1989 - DECEMBER 2012

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Adams, Peter R. | Cornwall | 7 April 2004 |
| Agro, P.H. Marjoh | Brantford | 16 September 1994 |
| Alder, Ann | Ottawa | 3 December 2003 |
| Allen, J. Elliott | Brampton | 15 November 1991 |
| Anderson, Charles D. | Brockville | 15 August 1990 |
| André, Irving W. ✦ | Brampton | 13 November 2002 |
| Armstrong, Simon C. | Newmarket | 3 December 2003 |
| Atwood, Hugh K. | Brampton | 4 January 1993 |
| Austin, Deborah J. | Sarnia | 1 December 1992 |
| Bacchus, Sandra Marina | Toronto | 23 March 2011 |
| Baig, Dianne P. | Fort Frances | 2 April 1990 |
| Baldock, Juliet ◈ | Kitchener | 20 October 1997 |
| Baldwin, Lesley Margaret | St. Catharines | 6 May 1997 |
| Barnes, Kofi N. | Oshawa | 18 February 2004 |
| Bassel, William P. ◈ | Toronto | 15 May 1995 |
| Beaman, Judith | Toronto | 12 January 1998 |
| Beasley, Geoffrey Alan ⁂ | Pembroke | 5 May 2004 |
| Beatty, William George | Bracebridge | 23 November 1998 |
| Bellefontaine, Paul | Oshawa | 5 January 1998 |
| Beninger, Robert William | Oshawa/Tri-County | 28 January 2009 |
| Bentley, Paul ⌘ | Toronto | 1 June 1992 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Bhabha, Feroza | Toronto | 24 August 2006 |
| Bigelow, Robert G. | Toronto | 9 August 1993 |
| Bignell, Ellen Kristine | Sault Ste. Marie | 3 December 2003 |
| Bishop, Peter T. | Dryden | 6 September 1994 |
| Blacklock, W. James | Brampton | 25 January 1993 |
| Blishen, Jennifer A. ❖ | Ottawa | 15 January 1993 |
| Block, Michael Simon | Oshawa | 28 January 2009 |
| Bloomenfeld, Miriam | Toronto | 14 December 2005 |
| Blouin, Richard | Newmarket | 4 August 2004 |
| Bode, Marc | Thunder Bay | 30 January 2008 |
| Boivin, Ronald D.J. | Cochrane North ✷ | 25 June 2003 |
| Bondy, Sharman S. | Sarnia | 19 October 1998 |
| Bonkalo, Annemarie E. | Brampton | 2 April 1990 |
| Borenstein, Howard Joseph Arnold | Toronto | 24 August 2006 |
| Botham, Louise Alice | Brampton | 6 September 2007 |
| Boucher, Patrick James | Cochrane ✷ | 14 October 2009 |
| Bourque, Peter Nicholas | Newmarket | 15 February 2006 |
| Bovard, Joseph W. | Toronto | 31 December 1989 |
| Brewer, Carol Anne Ruth | Toronto | 24 August 2006 |
| Brophy, George J. | Sarnia | 12 May 1997 |
| Brown, Beverly Anne | Toronto | 3 December 2003 |
| Brown, Stephen Douglas | Burlington | 21 June 2006 |
| Brownstone, Harvey P. | Toronto | 13 March 1995 |
| Brunet, Jonathan Scott | Cornwall ✷ | 24 August 2011 |
| Budzinski, Lloyd M. | Brampton | 1 April 1992 |
| Buttazzoni, Andrew L. | Sault Ste. Marie | 26 April 2006 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Caldwell, Kathy | Toronto | 5 May 2004 |
| Cameron, Lisa Marion | Lindsay/Tri-County Area | 2 February 2011 |
| Campbell, Gregory Alfred | Windsor | 18 October 2006 |
| Campbell, Hugh J. | Oshawa | 7 November 1994 |
| Campling, Frederic Miller | Toronto | 3 December 2003 |
| Carr, David George | Kitchener | 28 April 1999 |
| Carr, Ralph E.W. | Sudbury | 1 July 1991 |
| Casey, Jeff ◈ | Toronto | 21 December 1992 |
| Caspers, Jane E. de Meysey | Guelph | 7 February 2001 |
| Cavion, Bruno | Brampton | 15 November 1991 |
| Chapin, Leslie Alison Perry | Toronto | 2 December 2009 |
| Chester, Lorne Edward | Lindsay | 12 July 1999 |
| Chisvin, Howard I. | Newmarket | 18 February 2004 |
| Clark, Steven R. | Brampton | 13 February 2002 |
| Cleary, Thomas P. | Barrie | 6 June 1994 |
| Clements, Sydney Ford | Brampton | 18 February 2004 |
| Cohen, Marion L. | Toronto | 9 August 1993 |
| Cole, David P. | Scarborough | 1 March 1991 |
| Colvin, J.A. Tory | Welland | 26 May 2005 |
| Cooper, Alan Douglas | Halton | 22 December 2004 |
| Coroza, Steve Anthony | St. Catharines | 2 December 2009 |
| Cowan, Ian | Toronto | 20 January 1997 |
| Crawford, James C. | Oshawa | 1 June 1990 |
| Culver, Timothy A. | Kitchener | 16 May 1994 |
| Currie, Paul Reed | Brampton | 18 February 2004 |
| Curtis, Carole | Toronto | 30 January 2008 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Dawson, Nancy Anne | Barrie | 3 December 2003 |
| De Filippis, Joseph Anthony | Brampton | 3 January 2000 |
| Dean, Lloyd Clayton | Windsor/Chatham | 5 October 2005 |
| DeFreitas, Peter Joseph | Oshawa | 23 July 2008 |
| Deluzio, Elaine Isabel | Belleville | 6 December 2006 |
| Devlin, Mary Teresa E. | Oshawa | 13 November 2002 |
| Di Zio, Antonio | Toronto | 3 May 1999 |
| DiGiuseppe, Dino | Thunder Bay | 15 November 2000 |
| Dobney, Susan Gail | Toronto | 28 April 1999 |
| Dorval, Célynne S. | Ottawa ✷ | 15 March 1999 |
| Douglas, Jon-Jo Adam | Barrie | 13 October 1998 |
| Douglas, Norman S. | Brampton | 16 May 1994 |
| Downes, Philip Anthony | Toronto | 8 December 2011 |
| Dunbar, Mary F. ❖ | Brampton | 1 February 1991 |
| Duncan, Bruce | Brampton | 1 May 1997 |
| Dunn, Melanie Darlene | Sault Ste. Marie | 15 August 2012 |
| Edward, Gethin | Brantford | 1 December 1996 |
| Elder, Joyce Susan | Thunder Bay | 2 December 2009 |
| Epstein, Michael Jonathan | Kitchener | 26 May 2005 |
| Evans, Kerry Patrick ⁂ | Barrie | 2 October 1997 |
| Fairgrieve, David A. | Brampton | 21 December 1990 |
| Favret, Lucia Piera | Newmarket | 5 May 2004 |
| Feldman, Lawrence | Toronto | 5 January 1998 |
| Fernandes, Ivan J. A. ⌘ | Toronto | 21 February 2000 |
| Finnestad, Faith M. | Toronto | 1 May 1995 |
| Flaherty, Roderick J. ◈ | Dryden | 2 April 1990 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Forsyth, Frederick L. | Milton | 3 May 1999 |
| Foster, Stephen E. ◈ | Newmarket | 7 November 1994 |
| Fraser, Hugh L. | Toronto | 3 May 1993 |
| Frazer, Bruce ◈ | Kitchener | 13 January 1997 |
| French, Paul Joseph | Toronto | 24 August 2006 |
| Fuerth, Stephen Joseph | Chatham | 18 October 2006 |
| Gage, George Stephen | Toronto | 3 December 2003 |
| Gauthier, Louise L. ✦ | Northeast Region | 15 August 1992 |
| Gee, Robert | Brantford | 28 December 2011 |
| George, Jonathon Craig | London | 7 March 2012 |
| Getliffe, John Lawrence ◈ | Stratford | 6 December 2000 |
| Giamberardino, Franco | Cornwall | 20 June 2012 |
| Glaude, G. Normand N. | Elliot Lake ✷ | 17 April 1990 |
| Glenn, Lucy C. | Chatham | 16 December 1996 |
| Gorewich, William A. | Barrie | 14 October 1997 |
| Graham, Matthew Edward | Woodstock | 19 December 2012 |
| Graydon, Robert Lawson | Cobourg | 12 July 2006 |
| Green, Melvyn | Toronto | 14 December 2005 |
| Greene, Mara Beth | Toronto | 17 June 2009 |
| Gregson, Nathalie | Sault Ste. Marie | 3 December 2008 |
| Griffin, Geoffrey J. | Napanee | 8 September 2004 |
| Griffiths, Peter | Brockville | 11 May 1998 |
| Grossman, Jack Morris | Toronto | 28 April 1999 |
| Hackett, Donna G. | Scarborough | 21 December 1990 |
| Hall, Aston Joseph | Toronto | 8 December 2011 |
| Hansen, Inger ◈ | Kitchener | 1 February 1991 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Hardman, Paddy A. | Kitchener | 1 March 1991 |
| Harpur, Charles Michael | Barrie | 18 May 2005 |
| Harris, C. Roland | Barrie | 8 August 1994 |
| Harris, David Allan | St. Catharines | 21 June 2006 |
| Harris, Peter A.J. | Brampton | 13 February 1995 |
| Harrison, Steven Paul | Owen Sound | 20 June 2012 |
| Hatton, Mary Jane ❖✦ | Toronto | 2 April 1990 |
| Hawke, Kathryn L. | Brampton | 6 February 1995 |
| Hearn, Gary F. | Kitchener | 26 October 1998 |
| Hoffman, Mitchell | Windsor | 30 September 2009 |
| Horkins, William | Toronto | 5 January 1998 |
| Hornblower, Geoffrey Mark | Sarnia | 6 October 1999 |
| Hoshizaki, Jennifer Ruth | Kenora | 30 January 2008 |
| Hryn, Peter | Toronto | 1 June 1991 |
| Humphrey, Richard | Sudbury | 12 July 1999 |
| Hunter, Stephen J. | Ottawa | 1 June 1991 |
| Isaacs, Peter R.W. | Stratford | 13 February 1995 |
| Jennis, Richard | St. Catharines | 20 May 1997 |
| Johnston, Cynthia | Oshawa | 11 July 2012 |
| Johnston, Karen E. ⌘ | Oshawa | 1 July 1991 |
| Jones, Carolyn Jane | Toronto | 20 June 2012 |
| Jones, Penny J. | Toronto | 15 July 1991 |
| Kastner, Nancy Susan | Brampton | 15 February 1999 |
| Katarynych, Heather L. | Central South Region | 1 July 1993 |
| Keaney, James J. | Oshawa | 2 July 2003 |
| Keast, John D. | Sault Ste. Marie | 11 July 2001 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Kehoe, Catherine Ann | Ottawa | 6 September 2007 |
| Kelly, Robert Francis | Brampton | 6 September 2007 |
| Kenkel, Joseph F. | Newmarket | 19 June 2000 |
| Kerrigan-Brownridge, Jane | Brampton | 15 January 1993 |
| Khawly, Ramez | Sarnia | 1 December 1991 |
| Khoorshed, Minoo F. | Toronto | 1 June 1992 |
| Klein, Lawrence Joseph | Parry Sound | 26 April 2006 |
| Knazan, Brent | Toronto | 15 August 1990 |
| Kowalyshyn, Paul John Stephen | Chatham/Windsor | 3 December 2008 |
| Kozloff, Neil Leslie | Toronto | 2 December 2009 |
| Krelove, Glenn D. | Barrie | 26 October 1998 |
| Kukurin, John ◈ | Sault Ste. Marie | 29 May 1995 |
| Lacavera, Alphonse T. | Welland | 2 March 1998 |
| Lafrance-Cardinal, Johanne ❖ | Cornwall ✷ | 6 September 1994 |
| Lahaie, Diane M. | Ottawa ✷ | 7 March 2012 |
| Lalande, Randall William | Sudbury ✷ | 3 January 2000 |
| Lambert, Martin | Sault Ste. Marie | 15 February 1999 |
| Lane, Marion E. ◈ | Brampton | 1 February 1991 |
| LeDressay, Richard | Guelph | 1 December 1996 |
| Legault, Jean Guy | L'Orignal ✷ | 14 October 2009 |
| Lenz, Kenneth G. ◈ | Simcoe/Norfolk | 4 July 1989 |
| LeRoy, Jeanine Elisabeth | London | 28 December 2011 |
| Lester, Ronald B. ⌘ | Thunder Bay | 1 March 1991 |
| Letourneau, Allan Gary | Kingston | 11 July 2012 |
| Libman, Rick | Barrie | 15 November 1996 |
| Linden, Sidney B. | Toronto | 25 April 1990 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Lindsay, Eric S. ◈ | Toronto | 1 September 1990 |
| Linhares de Sousa, Maria T. ❖ | Ottawa | 4 July 1989 |
| Lipson, Timothy R. | Toronto | 20 March 2002 |
| Livingstone, Deborah K. ◈ | London | 31 December 1989 |
| Loignon, Jacqueline | Ottawa | 8 December 2011 |
| Lynch, John T. | Kitchener | 18 April 2001 |
| MacLean, Susan | Oshawa | 18 February 2004 |
| MacPhee, Bruce E. | Brampton | 2 April 1990 |
| Maille, Joseph Gilbert Raoul | Haileybury ✷ | 8 December 2011 |
| Main, Robert P. | Barrie | 2 April 1990 |
| Maisonneuve, Lise | Ottawa | 3 December 2003 |
| Malcolm, Wendy Barbara | Belleville | 29 November 2006 |
| March, Stephen | Pembroke | 19 April 2000 |
| Maresca, June | Brampton | 4 August 2004 |
| Marin, Sally E. | Toronto | 9 August 1993 |
| Marshman, Mary E. ❖ | Windsor | 15 July 1991 |
| Martin, Eileen Susan | Welland | 21 June 2006 |
| Masse, Rommel G. ◈ | Ottawa ✷ | 4 July 1989 |
| Maund, Douglas B. | Orangeville | 4 October 2000 |
| McArthur, Heather Adair | Toronto | 8 December 2011 |
| McCreary, Robert F. ⌘ | Orillia | 18 May 2005 |
| McFadyen, Anne-Elisabeth E. | Sarnia | 26 October 1998 |
| McGowan, Kathleen E. | St. Catharines | 1 June 1990 |
| McGrath, Edward ◈ | St. Thomas | 4 January 1999 |
| McKay, Alan Thomas | Fort Frances | 9 November 2005 |
| McKerlie, Kathryn L. | Stratford | 3 May 1999 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| McLeod, Katherine Louise | Brampton | 15 February 1999 |
| McLeod, Malcolm Gordon | Sudbury | 27 December 2006 |
| McSorley, Margaret A. | Kitchener/Guelph | 24 December 2003 |
| Meijers, Enno Jan | Barrie/Simcoe-Muskoka Area | 28 December 2011 |
| Merenda, Sal | Toronto | 21 February 1996 |
| Minard, Ronald A. | Newmarket | 5 April 1993 |
| Mocha, Cathy | Toronto | 14 April 1997 |
| Moore, John | Toronto | 12 January 1998 |
| Morgan, J. Rhys | Toronto | 15 August 1990 |
| Morneau, Julia Ann | Owen Sound | 30 May 1997 |
| Morten, Marvin G. | Toronto | 5 July 1993 |
| Mulligan, Katrina Lea | Oshawa | 31 January 2007 |
| Murray, Ellen Bushnell | Toronto | 9 November 2005 |
| Nadel, Joseph Samuel | St. Catharines | 21 June 2006 |
| Nakatsuru, Shaun Shungi | Toronto | 24 August 2006 |
| Nelson, Carol Ann | Brampton | 23 July 2008 |
| Newton, Petra E. | Toronto | 31 December 1989 |
| Nicholas, Dianne M. | Ottawa | 1 June 1991 |
| Nicklas, Sharon Margaret | Kitchener/Guelph | 6 September 2007 |
| O'Connell, Sheilagh Marie | Milton | 10 November 2010 |
| O'Dea, Michael P. | St. Thomas | 15 March 2000 |
| O'Hara, Terrence G. ⌘ | Newmarket | 6 February 1995 |
| ODonnell, Fergus Colm | Toronto | 17 June 2009 |
| Oleskiw, Diane Iris | Toronto | 2 December 2009 |
| Omatsu, Maryka J. ◈ | Toronto | 1 February 1993 |
| Ormston, Edward E. | Toronto | 31 December 1989 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Otter, Russell J. | Toronto | 5 July 1993 |
| Paciocco, David Michael | Ottawa | 24 August 2011 |
| Paulseth, Debra Ann White | Toronto | 9 November 2005 |
| Pawagi, Manjusha Bhaskar | Brampton | 28 January 2009 |
| Payne, John Andrew | Oshawa | 4 January 1999 |
| Pelletier, Joyce Lynn | Thunder Bay | 28 December 2005 |
| Perkins-McVey, Heather Elizabeth | Ottawa | 17 June 2009 |
| Perron, Alain H. | Parry Sound ✷ | 25 April 2012 |
| Phillips, Douglas W. | Windsor | 1 March 1991 |
| Pockele, Gregory A. | Stratford | 2 November 1992 |
| Pringle, Leslie Catherine | Toronto | 20 March 2002 |
| Pugsley, Bruce Edmund | Brampton | 13 February 2002 |
| Rabley, Wayne Gould | London | 17 June 2009 |
| Radley-Walters, Sydney Grant | Pembroke | 20 February 2002 |
| Ratushny, Lynn D. ✦ | Ottawa | 1 March 1991 |
| Rawlins, Micheline A. | Windsor | 15 October 1992 |
| Ray, Sheila | Toronto | 15 April 1992 |
| Ready, Elinore A. | Brampton | 21 December 1990 |
| Regis, Gregory | Oshawa | 4 January 1999 |
| Reinhardt, Paul H. | Toronto | 2 April 1990 |
| Renaud, J.R. Giles | Cornwall ✷ | 23 January 1995 |
| Renaud, Yvon ⌘ | Sudbury | 15 November 2000 |
| Richards, Ronald J. | Toronto | 21 December 1992 |
| Ritchie, John Malcolm | Toronto | 28 April 1999 |
| Roberts, Marietta L.D. ◈ | Brampton | 1 March 1991 |
| Robertson, Paul | Toronto | 3 December 2003 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Robson, M. Wendy ⌘ | Peterborough | 4 July 1989 |
| Rocheleau, Michelle Joanne | Haileybury ✷ | 27 December 2006 |
| Rodgers, Gregory Paul | North Bay | 15 November 2000 |
| Rogers, Lynda J. | Kitchener/Guelph | 19 October 2005 |
| Rogers, Sherrill M. ❖ | Newmarket | 15 July 1991 |
| Rogerson, Robert Wallace | Kitchener/Guelph | 24 December 2003 |
| Rosemay, Vibert T. | Brampton | 1 December 1991 |
| Rosenberg, Esther | Peterborough/Tri-County | 28 April 2010 |
| Rutherford, Rebecca Jane | Toronto | 24 December 2008 |
| Salem, Harvey M. ◈ | Scarborough | 1 March 1991 |
| Schnall, Eleanor M. | London | 1 March 1991 |
| Schneider, Richard D. | Toronto | 20 December 2000 |
| Schwarzl, Richard Hans Karl | Brampton | 17 June 2009 |
| Scott, Margaret A.C. ❖ | Oshawa | 17 January 1994 |
| Scully, Brian Muir | Toronto | 3 December 2003 |
| Selkirk, Robert George | Pembroke | 29 December 2004 |
| Serré, Louise | Blind River/Elliot Lake ✷ | 15 November 2000 |
| Shamai, Rebecca S. | Brampton | 2 April 1990 |
| Shaw, Anne-Marie | Newmarket | 16 September 2002 |
| Sheppard, Patrick A. ◈ | Newmarket | 1 June 1991 |
| Sherr, Stanley Bennet | Toronto | 9 November 2005 |
| Sherwood, Kevin Ainsley | Simcoe | 10 November 2010 |
| Shilton, Bruce | Newmarket | 6 July 1998 |
| Simmons, Janet M. ✦★ | Brampton | 21 December 1990 |
| Skowronski, John Stanley | London | 4 March 2009 |
| Sparrow, Geraldine | Toronto | 15 January 1993 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Spence, Robert Julien | Toronto | 20 March 2002 |
| Speyer, Maria | Hamilton | 17 June 2009 |
| Stead, W. Brian ◈ | Simcoe | 1 July 1991 |
| Stone, David M. | Oshawa | 1 June 1990 |
| Sutherland, John Andrew | Toronto | 5 May 2004 |
| Taillon, Raymond P. ◈ | Oshawa | 1 July 1991 |
| Taylor, Paul Michael | Toronto | 20 March 2002 |
| Tetley, Peter | Newmarket | 16 September 2002 |
| Thibideau, Lawrence P. ◈ | Brantford | 3 May 2000 |
| Thomas, Bruce G. ✦ | Chatham | 4 May 1999 |
| Timms, David Roger ❖ | Oshawa | 1 March 1991 |
| Tobin, Barry Martin | Windsor | 30 September 2009 |
| Trotter, Gary Thomas ✦ | Toronto | 14 December 2005 |
| Tuck-Jackson, Andrea Edna Ethel | Toronto | 24 August 2006 |
| Vaillancourt, Charles H. | Downsview | 21 December 1990 |
| Valente, Francesco | Thunder Bay | 14 May 2008 |
| Villeneuve, Robert Paul | Elliot Lake/Blind River ✷ | 9 November 2005 |
| Vyse, Diane Terry | Cambridge | 1 March 1991 |
| Wake, John David | Brampton | 8 August 1994 |
| Wakefield, Graham Richard | Oshawa | 23 July 2008 |
| Waldman, Geraldine | Brampton | 15 November 1991 |
| Watson, Ann Jane | St. Catharines | 4 August 2005 |
| Waugh, John D. G. ◈ | Pembroke | 30 May 2001 |
| Weagant, Brian | Toronto | 8 May 1995 |
| Weinper, Fern | Newmarket | 6 July 1998 |
| West, Peter Caldwell | Newmarket | 30 January 2008 |

| NAME | LOCATION | EFFECTIVE DATE |
|---|---|---|
| Westman, Colin R. | Kitchener | 1 June 1990 |
| Whetung, Timothy C. | Peterborough | 1 December 1991 |
| Wilkie, Peter Heward | Brampton | 15 February 1999 |
| Wilson, Joseph Bruce | Parry Sound | 26 May 1997 |
| Wilson, Natalie Jane | Pembroke | 2 November 1998 |
| Wolder, Theo ◈ | Brampton | 1 June 1990 |
| Wolski, William | Barrie | 20 January 1997 |
| Wong, Mavin | Newmarket | 19 June 2000 |
| Woolcott, Margaret F. | Brampton | 4 January 1993 |
| Wright, Kelly Pamela | Toronto | 24 December 2008 |
| Wright, Peter J. | East Region | 5 July 1993 |
| Wright, Peter Jeffrey | Newmarket | 16 September 2002 |
| Zabel, Bernd E. | Hamilton | 2 April 1990 |
| Zisman, Roselyn | Milton | 11 April 2007 |
| Zivolak, Martha B. | St. Catharines | 1 July 2002 |

✷ Denotes designated bilingual position
❖ Subsequently appointed to the Family Court of the Superior Court of Justice
✦ Subsequently appointed to the Superior Court of Justice
★ Subsequently appointed to the Ontario Court of Appeal
⌘ Deceased
⁂ Resigned
◈ Retired as full-time judge